

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:21-CR-107

JAMARR SMITH, THOMAS IROKO AYODELE aka "ROKO,"
and GILBERT MCTHUNEL

GOVERNMENT'S REQUEST FOR NOTICE OF ALIBI DEFENSE

Comes now the United States of America, by and through the United States Attorney for the Northern District of Mississippi, pursuant to Rule 12.1 of the Federal Rules of Criminal Procedure, and requests that the defendants be required to provide notice of an alibi defense and in support thereof would show unto the Court the following, to wit:

The defendants are charged with conspiring to rob a postal carrier of mail matter, money, and property of the United States, and with a similar substantive count, in violation of Title 18, United States Code, Section 371 (conspiracy count) and Section 2114(a) (substantive count). The offense occurred on February 5, 2018, between the hours of 5:00 p.m. and 6:00 p.m. in Lake Cormorant, Mississippi.

If any defendant contends that he was not present in or near Lake Cormorant, Mississippi, on February 5, 2018, between the hours of 5:00 p.m. and 6:00 p.m., the government requests that the defendant be required to provide notice of his alibi defense pursuant to the provisions of Rule 12.1 of the Federal Rules of Criminal Procedure.

Respectfully submitted, this the 6th day of January, 2022.

CLAY JOYNER, MS Bar 10316
United States Attorney

By: /s/ Robert J. Mims

ROBERT J. MIMS, MS Bar 9913
Assistant United States Attorney
Ethridge Professional Building
900 Jefferson Avenue
Oxford, MS 38655-3608
Telephone 662-234-3351
Criminal Division fax 662-234-0657

CERTIFICATE OF SERVICE

I, Robert J. Mims, Assistant United States Attorney for the Northern District of Mississippi, hereby certify that I electronically filed the foregoing **GOVERNMENT'S REQUEST FOR NOTICE OF ALIBI DEFENSE** with the Clerk of the Court using the ECF system which sent notification of such filing to the attorneys of record in this matter.

This the 6th day of January, 2022.

/s/ Robert J. Mims
ROBERT J. MIMS
Assistant United States Attorney